

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A
JUDGE: CYNTHIA A. HOLLOWAY
NO.: 00-143

Florida Supreme Court
Case No.: SC00-2226

_____/

**JUDICIAL QUALIFICATIONS COMMISSION'S RESPONSE TO JUDGE
HOLLOWAY'S INITIAL INTERROGATORIES**

Interrogatory Number 1

State the name, current business address, current residence address, current business telephone number and current residence telephone number of the person answering these interrogatories on behalf of the Judicial Qualifications Commission.

Response to Interrogatory Number 1

**Ms. Brooke S. Kennerly
Executive Director
Judicial Qualifications Commission
1110 Thomasville Road
Tallahassee, Florida 32303
Telephone number (850) 488-1581**

With the assistance of the undersigned Special Counsel

Interrogatory Number 2

State the names, current business addresses, current residence addresses, current business telephone numbers and current residence telephone numbers for each person believed or known to the Judicial Qualifications Commission to have any information or knowledge relevant to any of the issues raised by the pleadings in this case, including mitigating and aggravating circumstances.

Response to Interrogatory Number 2

See the Judicial Qualifications Commission's Pre-Hearing Statement dated on or about September 10, 2001 and potential witness lists filed in this matter pursuant to Rule 12(b) of the Florida Judicial Qualifications Commission. Investigation is ongoing.

Interrogatory Number 3

State with specificity the substance of the information known to each person listed

in number 2 above.

Response to Interrogatory Number 3

See the Judicial Qualifications Commission's Pre-Hearing Statement dated on or about September 10, 2001.

Interrogatory Number 4

State the name, current business address, current residence address, current business telephone number and current residence telephone number of every person who has complained, filed a complaint, initiated an investigation, or who is considered by the Judicial Qualifications Commission to be a complainant against Judge Holloway in this case.

Response to Interrogatory Number 4

The JQC objects to Interrogatory number 4 on grounds that same seeks information that violates the confidentiality provision of Section 12(a)(4) of the Constitution of the State of Florida.

Interrogatory Number 5

State the names, current business addresses, current residence addresses, current business telephone number and current residence telephone number of every person which the Judicial Qualifications Commission intends to call as a witness in the trial of this case, concerning factual issues, determinations of guilt, and recommendations of sanctions.

Response to Interrogatory Number 5

The JQC objects to Interrogatory number 5 on grounds that same seeks information protected by the work product doctrine without waiving said objection and subject thereto, see the Judicial Qualifications Commission's Pre-Hearing Statement dated on or about September 10, 2001.

Interrogatory Number 6

State with specificity the substance of the testimony anticipated to be given by each person listed in number 5 above at the trial of this case.

Response to Interrogatory Number 6

See response to Interrogatory number 5.

Interrogatory Number 7

Describe with specificity each document, writing, or item of tangible evidence, of any type or kind, which the Judicial Qualifications Commission intends to offer as evidence in the trial of this case.

Response to Number 7

See the Judicial Qualifications Commission's Pre-Hearing Statement and Exhibit list, dated on or about September 10, 2001.

Interrogatory Number 8

State the name, current business address, current residence address, current business telephone number and current residence telephone number of each person having custody or control over the items described in number 7 above.

Response to Interrogatory Number 8

See the Judicial Qualifications Commission's Pre-Hearing Statement and Exhibit list, dated on or about September 10, 2001.

Interrogatory Number 9

State the name, business address, residence address, business telephone number and residence telephone number of each person believed or known to have heard Judge Holloway make any statement, remark or comment concerning any fact or issue raised by the pleadings in this case, including mitigating and aggravating circumstances.

Response to Interrogatory Number 9

See the Judicial Qualifications Commission's Pre-Hearing Statement and Exhibit list, dated on or about September 10, 2001.

Interrogatory Number 10

State with specificity the substance of each statement, remark or comment heard by the persons listed in number 9 above.

Response to Interrogatory Number 10

See the Judicial Qualifications Commission's Pre-Hearing Statement and Exhibit list, dated on or about September 10, 2001.

Interrogatory Number 11

State the name, business address and business telephone number of each expert you intend to call at the trial of this case.

Response to Interrogatory Number 11

None known at this time.

Interrogatory Number 12

Describe the qualifications of each expert, state the subject matter upon which each expert is expected to testify, and state the substance of the facts and opinions to which each expert is expected to testify, and summarize the grounds for each expert opinion for each expert listed in number 11 above.

Response to Interrogatory Number 12

Not applicable at this time.

Interrogatory Number 13

Please state with specificity every witness or prospective witness contacted by JQC Investigator, Robert W. Butler, JQC Special Counsel, Beatrice A. Butchko, or any JQC representatives and the dates of such contact.

Response to Interrogatory Number 13

The JQC objects to Interrogatory number 13 on grounds that same seeks information protected by the work product doctrine as well as the confidentiality provision of Section 12(a)(4) of the Constitution of the State of Florida.

Interrogatory Number 14

Please state with specificity the date or dates the Investigative Panel discussed the issues raised by the Amended Notice of Investigation filed herein.

Response to Interrogatory Number 14

The JQC objects to Interrogatory number 14 on grounds that same seeks information protected by the attorney client privilege and work product doctrine as well as the confidentiality provision of Section 12(a)(4) of the Constitution of the State of Florida.

Interrogatory Number 15

Please state with specificity the date the Investigative Panel voted on the Amended

Notice of Investigation.

Response to Interrogatory Number 15

June 8, 2001

Interrogatory Number 16

Please state whether the discussion and vote of the Investigative Panel with reference to the Amended Notice of Investigation was transcribed.

Response to Interrogatory Number 16

The discussion and vote of the Investigative Panel with reference to the Amended Notice of Investigation was not transcribed.

Interrogatory Number 17

Please identify with specificity the materials, pleadings, papers, documents, witness statements, testimony, reports, or other evidence presented to the Investigative Panel for its consideration, discussion and vote on the Amended Notice of Investigation.

Response to Interrogatory Number 17

The JQC objects to Interrogatory number 17 on grounds that same seeks information protected by the attorney client privilege, work product doctrine and the confidentiality provision of Section 12(a)(4) of the Constitution of the State of Florida. Without waiving said objection and subject thereto: Witness summary of Judge Katherine G. Essrig; witness summary of Marie L. Folsom and witness summary of Deputy Angela Martin, previously provided to Respondent's counsel

JURAT

BROOKE KENNERLY
Executive Director
Judicial Qualifications Commission

STATE OF FLORIDA

COUNTY OF

BEFORE ME, the undersigned authority, on this _____ day of September 2001, personally appeared _____ who is personally known to me or who has produced _____ as identification and states that she is the person who completed the foregoing Interrogatories and to the best of her knowledge, the answers given are true and correct.

	<hr/> NOTARY SIGNATURE
	<hr/> NOTARY NAME PRINTED
My Commission Expires:	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Facsimile with copies by U.S. Mail on: Scott K. Tozian, Esquire, SMITH & TOZIAN, P.A., 109 North Brush Street, Suite 150, Tampa, Florida 33602; and Michael S. Rywant, Esquire, RYWANT, ALVAREZ, JONES, RUSSO & GUYTON, P.A., 109 North Brush Street, Suite 500, Tampa, Florida 33602; and by U.S. Mail on John Beranek, Esquire, AUSLEY & MCMULLEN, Washington Square Building, 227 Calhoun Street, P.O. Box 391, Tallahassee, Florida 32302; the Honorable James R. Jorgenson, Chair, Hearing Panel, Third District Court of Appeals, 2001 S.W. 117th Avenue, Miami, Florida 33175-1716; and the Honorable James R. Wolf, Chairman, Investigative Panel, 301 S. Martin Luther King Blvd., Tallahassee, Florida 32399; Brooke Kennerly, Executive Director, Judicial Qualifications Commission, Mount Vernon Square, 1110 Thomasville Road, Tallahassee, Florida 32303, this ____ day of September, 2001.

CERTIFICATE OF FONT SIZE

I hereby certify that type font used in this document is 14-point Times New Roman.

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By: _____
BEATRICE A. BUTCHKO
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